

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

SUSAN M. BORN,

Plaintiff,

v.

MILWAUKEE COUNTY,

Defendant.

Case No. 17-CV-1783-JPS

ORDER

On July 12, 2018, the Court granted Defendant's motion to dismiss. (Docket #23). It nevertheless allowed Plaintiff a final opportunity to submit an amended complaint, which she did on August 2, 2018. (Docket #24). As noted in the Court's most recent screening order and in the briefing on the motion to dismiss, Plaintiff's allegations in this matter appear to seek relief based on the Americans with Disabilities Act, 42 U.S.C. § 12112(a), and the Fair Labor Standards Act, 29 U.S.C. § 207(a). Plaintiff's second amended complaint continues to invoke these statutes and is far clearer and more cogent than her prior pleadings. Additionally, Plaintiff's second amended complaint cites the Rehabilitation Act, 29 U.S.C. § 794, as a basis for her lawsuit. (Docket #24 at 11). In light of the low standards applied in the Court's screening duties pursuant to 28 U.S.C. § 1915(e)(2), the Court will allow Plaintiff to proceed on all of these claims. To the extent there are any infirmities in these claims, whether procedural or substantive, the Court leaves it to Defendant to assert them in dispositive motion practice.

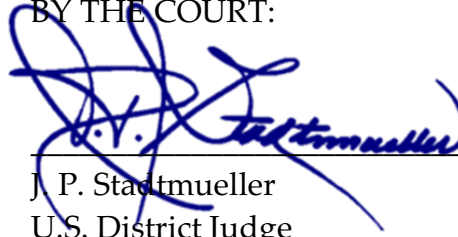
The Court will also set a scheduling conference for this matter by separate notice.

Accordingly,

IT IS ORDERED that Plaintiff's second amended complaint (Docket #24) is accepted for filing and that she is allowed to proceed on the allegations and claims stated therein.

Dated at Milwaukee, Wisconsin, this 7th day of August, 2018.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge